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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BENJAMIN ESPINOSA,

Plaintiff,

vs.

FILSON, et al.,

Defendant.

Case No. 3:18-cv-00298-MMD-CLB

**MOTION FOR EXTENSION OF TIME
TO FILE INSPECTOR GENERAL'S
DOCUMENTS *IN CAMERA* (First
Request)**

Defendants, Romeo Aranas, Gloria Carpenter, Michelle Clay, James Dzurenda, Michele Ewing, Gail Holmes, Scott Mattinson and William Reubart, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Rost C. Olsen, Deputy Attorney General, file their first Motion for Extension requesting a 14 day extension to submit Inspector General's documents and other documents *in camera*, as ordered by this Court in ECF No. 108 at 14:1-4.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

On April 17, 2020, this Court ordered Defendants to file certain documents related to a possible Inspector General's investigation into a grievance by Plaintiff. *See* ECF No. 108 at 14:1-4.

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Subsequent to the hearing, the Office of the Attorney General and Undersigned Counsel experienced difficulties establishing contact with the Inspector General's Office due to reduced availability of staff in both offices due to the COVID-19 outbreak. Upon establishing contact, however, the Inspector General's Office was unable to locate any investigation file related to the disputed grievance within the files accessible at the time. Upon information and belief, the Inspector General's Office likely did not conduct an investigation into this particular grievance, but the Inspector General's Office has not been able to confirm that such an investigation did not occur.

II. DISCUSSION

Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

Here, Defendants submit there is good cause for the requested extension. Efforts of the Office of the Attorney General and Inspector General's Office have revealed a likelihood that the Inspector General's Office did not conduct such an investigation. However, due to reduced in-office staffing in response to the current pandemic, the Inspector General's Office has yet to be able to confirm this lack of an investigation.

Accordingly, Defendants request an extension of fourteen (14) days, until Friday May 15, 2020 to confirm either a lack of investigation or discover responsive documents, and to file any documents yielded *in camera*.

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For the foregoing, Defendants submit good cause exists, and requests the Court extend the deadline to file the required documents to Friday, May 15, 2020. This request for an extension of time is made in good faith and not for the purpose of undue delay.

DATED this 30th day of April, 2020.


AARON D. FORD
Attorney General

By: /s/ Rost C. Olsen
ROST C. OLSEN, Bar No. 14410
Deputy Attorney General

Attorneys for Defendants

Dated: May 1, 2020


IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada and that on this 30th day of April, 2020, I caused a copy of the foregoing, **MOTION FOR EXTENSION OF TIME TO FILE INSPECTOR GENERAL'S DOCUMENTS *IN CAMERA* (First Request)**, to be served, by U.S. District Court CM/ECF Electronic Filing on the following:

Benjamin Espinosa #74296
Care of ESP Law Librarian
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An employee of the
Office of the Attorney General